

**MINUTES**  
**Planning and Zoning Commission & Architectural Board of Review**  
**City of Willoughby Hills, Ohio**

**February 19, 2015**

**CALL TO ORDER     7:00 P.M**

**PRESENT:**             Chairman Christopher Smith, Vice Chairman John Lillich,  
Mayor Robert Weger, Council Representative David Fiebig,  
Charlotte Schryer, Joseph Zawatski and Jonathon Irvine

**ALSO PRESENT:**     Building Commissioner Fred Wyss, City Engineer Pietro DiFranco,  
Law Director Tom Lobe, BZA Rep Frank Cihula and Clerk Katherine Lloyd

**Correspondence:**

- Memo dated September 26, 2014 from Fred Wyss to Mark Sivazlian RE: Sivazlian Parcel Adjustment
- Memo dated December 19, 2014 from Daniel J. Collins, P.E., Assistant City Engineer to PC/ABR Members RE: 37250 Chardon Rd. (PPN 31 A-2A-2) & 2911 Hunters Woods (PPN 31A-1F-1-5) – Proposed Lot Split/Consolidation
- Letter dated February 9, 2015 from Fred Wyss to Dr. Faye Sivazlian
- Memo dated February 5, 2015 from Pietro DiFranco, P.E., City Engineer / Elida Rreza, P.E. to David Novak, P.E. & Wesley Overall RE: 2881 Rockefeller Rd. (PPN 31-A-006-0-00-066-0) - Construction New Single-Family Home

**Disposition of Minutes**

**Meeting of February 5, 2015**

**MOTION:**     David Fiebig moved to approve the Minutes of February 5, 2015 as corrected.  
                      Seconded by Charlotte Schryer.  
                      Roll call: 6 Ayes and 1 Abstention (Zawatski)  
                      **Motion passes 6/0.**

**ARCHITECTURAL BOARD OF REVIEW**

**Public Portion opened at 7:02 P.M.**

No Public input

**Public Portion closed at 7:02 P.M.**

1.) Michael Rigol

Contractor: Probuilt Homes

**2881 Rockefeller Road – New Home – (PPN 31-A-006-0-00-066-0)**

Plans stamped received in Building Department 2/10/2015

Plans reviewed by Building Department 2/10/2015

Present: Michael Rigol, Michelle Raia (Wife), Kim Steed (ProBuilt Homes)

**Owner/Representative Comments:**

Samples were shown: Dutch lap 5-inch siding in Tuscan clay, Monterey Sand color trim, colonial style garage door in tan color, charcoal gray roofing, Cypress Limestone colored stonework

**City Engineer's Comments (DiFranco):**

None

**Board Comments**

(Schryer) All of the windows are well trimmed on the front and the back. The ends are plain. There are no windows. Is it possible to add some windows with the interior floor plan? *Just some windows?*

(Lillich) Any type of architectural feature could be added to break up the blank wall. It looks like you have basement windows? *Yes, they are daylight windows.* A fake roofline could be extended from the covered porch across there. Or, you could add one or two windows to break up the view as you drive down the street.

(Schryer) It is just a suggestion. It keeps the property values up. If you add something, show it to the Building Commissioner.

(Zawatski) I always like windows.

(Fiebig) Are you planning to have window grids? *We chose not to have them. We did not have window grids in the last house. I got used to it.* The Board usually asks for grids, at least in the front.

(Lillich) There is a grid called prairie style. *They are nice.*

(Schryer) It will be important that all the windows should be the same grid style in the front and the back. Use one or the other. *Can we do grids in the front and not in the back?*

(Weger) You can. Yes.

(Fiebig) From the front, it is the curb appeal. We do prefer a 360 degree design. It is not a huge expense. *It was not the expense. It was a personal preference.*

(Zawatski) It is your preference. It will be a beautiful house.

**MOTION:** John Lillich moved to approve the New Home at 2881 Rockefeller Road as submitted with the addition of some type of architectural features on the right elevation.

Seconded by Joseph Zawatski

Voice Vote: Ayes Unanimous

***Motion Passes 7/0***

2.) Amanda Austen & Todd King

Contractor: James King

**2955 Bishop Road – Alteration & Garage Addition – (PPN 31-A-007-E-00-042-0)**

Plans stamped received in Building Department 2/13/2015

Present: Todd King, James King (contractor and father)

**Owner/Representative Comments:**

- We started fixing some things. Then we had to do maintenance. Then we change some things and added more space inside to make more room for the baby.
- We added another garage so there would be a 2-car garage.

**City Engineer's Comments (DiFranco):**

None

**Board Comments**

(Lillich) Do you have any photographs of the existing house? *No, we forgot.* It is difficult for us to review architecturally when we do not know what is there. *The outside of the house is pretty much the same. We just added another 11 feet for another garage.* Will the roofing and siding match? *Roofing is 3-dimensional stock shingles.*

*Where the entry door is, we might do a reverse cable. It is not on the plans. What will the garage door look like? They will be white with 6 panels.*

(Schryer) There are windows and doors on the end of the house. Will you match the trim around the windows to match the rest of the house? Absolutely. *We will remove the awnings and put j-channel around the windows. Nothing is changing structurally on the outside. The whole house will look better.*

(Schryer) Does this window exist now? *Yes. On the very end where we add on the garage, we will add an entry door and window so it does not look like a shoebox from the street. It will be the same type of siding. We will re-side the whole house in beige or clay colored siding.*

*The house is white now.*

(Fiebig) Will you replace existing garage door to match the new one? *Yes. The idea if for it to look like the addition has always been and everything is done at the same time. We are going to do according to Code. You do this as your profession? I have worked on many houses.*

**MOTION:** David Fiebig moved to approve the plans for the Alteration & Garage Addition at 2955 Bishop Road as submitted.  
Seconded by John Lillich  
Voice Vote: Ayes Unanimous  
*Motion Passes 7/0*

#### **PLANNING COMMISSION**

**Public Portion opened at 7:18 P.M.**

No Public input

**Public Portion closed at 7:18 P.M.**

1.) Faye Sivazlian

Contractor: Audry Grant – Western Reserve Title Company, LTD

**37250 Chardon Rd. & 2911 Hunters Woods - Proposed Lot Split/Consolidation -  
(PPN 31 A-2A-2) & (PPN 31A-1F-1-5)**

Plans stamped received in Building Department 9/17/2014

Plans reviewed by Building Department 1/12/2015

Present: No One is present

(Smith) The owner is not present tonight. We have had correspondence from the Willoughby Hills Legal Department. Mr. Wyss, will you read it, please.

#### **Owner/Representative Comments:**

The owner was not present.

#### **Building Commissioner's Comments (Wyss):**

Mr. Wyss read from the email sent to the PCABR on Tuesday, February 17, 2015 from Faye Sivazlian's attorney. He wrote that she [Sivazlian] does not consent to the lot split. The contract is not enforceable. A portion of the property is owned in trust and there is no purchase agreement binding the trust. The City cannot award the lot split because that would leave the property in the trust landlocked. The property is not included in the subdivision legal description and, hence arguably would have no right to use the private Hunter's Woods Drive. Please confirm that Faye Sivazlian does not consent to the lot split.

The City Law Department has reviewed this. Mr. Wyss also read from the email received on Tuesday, February 17, 2015 from the Law Director Thomas Lobe. He wrote the 'the Planning Commission

should not proceed with this matter based on the latest pronouncement from Ms. Sivazlian through her attorney, Randy Klammer that she objects to the to the lot split." The matter should be tabled indefinitely by the Commission. The City does not take a position nor does it have any opinion as to the legality of any and all contracts made between the parties.

The City will not put this matter on the Agenda again until such time that Ms. Sivazlian sends forth an irrevocable approval for the lot split. The City takes this unusual stance due to the multitude of positions taken by Ms. Sivazlian. Attorney Doug King is copied on this email to provide as much notice as possible.

Doug King, attorney for Mountain Run Forestry, responded by email to Mr. Lobe's email.

**Board Comments**

None

**MOTION:** John Lillich moved to table indefinitely the Proposed Lot Split/Consolidation at 37250 Chardon Rd. & 2911 Hunters Woods.  
Seconded by Mayor Weger  
Voice Vote: Ayes Unanimous  
**Motion Passes 7/0**

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

None

**MAYOR'S REPORT**

- Dunkin Donuts will break ground as soon as the weather breaks. From that time, they estimate opening in 70 days.
- Clover Development, Phase I is closed up and they are working on the inside. The roof is covered with tar paper. It will be finished when the weather gets better.

**COUNCIL REPRESENTATIVE'S REPORT (Fiebig)**

None

**BUILDING COMMISSIONER'S REPORT**

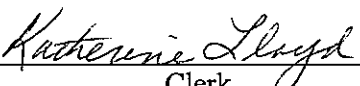
None

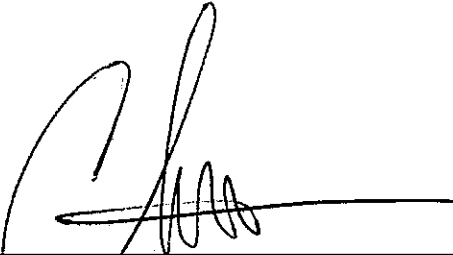
**CHAIRMAN'S REPORT**

None

**MOTION:** John Lillich moved to adjourn.  
Seconded by Joseph Zawatski  
Voice Vote: Ayes Unanimous  
**Motion Passes 7/0**

**Adjourned at 7:24 P.M.**

  
Clerk

  
Chairman

Date Approved 5 March 2015